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September 26, 2022

## VIA EMAIL and U.S. MAIL

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Re: *Tracy Caekaert and Camillia Mapley v. Watchtower Bible and Tract Society of New York, Inc., et al.*  
USDC Billings Division 20-CV-52-SPW-TJC  
File No. 78280.001

*Ariane Rowland and Jamie Schulze v. Watchtower Bible and Tract Society of New York, Inc., et al.*  
USDC Billings Division 20-CV-59-SPW-TJC  
File No. 78280.002

Gentlemen:

We are writing in response to James's letter dated September 15, 2022, regarding Requests for Production (hereinafter "RFP") Nos. 51-53, and our telephone conversation with Ryan and Matthew Merrill on September 19, 2022, regarding a range of discovery-related topics, including those RFPs. Enclosed please find supplemental discovery responses, a second amended privilege log, and additional production documents. Below is a brief summary of the updates.

As to RFP No. 51, WTNY stands on its response, as a diligent search has been conducted, and nothing remains of the documents sought. Such documents were not maintained for extended periods of time in the ordinary course. WTNY is unaware of the existence of any additional responsive documents from the relevant time period, except as produced or logged by the Hardin Congregation.

\*also licensed in  
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Brown Law Firm, P.C.  
September 26, 2022  
Page 2 of 2

As to RFP No. 52, WTNY understood the question to be seeking "Hardin Congregations' Permanent Congregation File," meaning the file the Hardin Congregation maintains at its place of worship. Watchtower does not and never has had access to that file. However, based on the clarification in your letter and our phone conversation with Ryan and Matthew, WTNY has located what remains of its Hardin congregation file (other than previously produced records/communications between WTNY and Hardin Congregation) that included an S-303 Report from 1993, an S-205 application from 1986, 4 pages of notes from an unknown source describing events involving members of the Hardin congregation, and several pages of notes/letters that were previously produced or logged by non-party congregations. WTNY is unaware of the existence of any additional responsive documents from the relevant time period.

As to RFP No. 53, WTNY has no additional documents responsive to this RFP and is unaware of the existence of any additional responsive documents from the relevant time period, except as produced or logged by the Hardin Congregation.

We are also writing in response to Ryan's letter dated September 23, 2022. The understanding set forth in the first summary paragraph is correct. The understanding set forth in the second summary paragraph is also correct, although "CM" refers to a type of call, not a code. The understanding set forth in the third summary paragraph is additionally correct as to communications to or from WTNY, although WTNY does not have local congregation records unless such records were given to WTNY.

Finally, as to the 30(b)(6) deposition of WTNY, the length of the deposition is limited to 7 hours pursuant to Rule 30(d)(1), Fed.R.Civ.P. We do not envision producing 30(b)(6) representatives of WTNY for deposition on multiple occasions, just as we anticipate you do not intend to make each of your respective clients available for deposition on multiple occasions.

Thank you for your attention to these matters. and please contact us with any questions.

Sincerely,



Jon A. Wilson  
Brett C. Jensen  
JAW / BCJ  
enclosures

cc: Joel M. Taylor (via e-mail) (w/enclosures)

*TRACY CAEKAERT, ET AL. V. WATCHTOWER BIBLE AND TRACT SOCIETY OF NEW YORK, INC., ET AL*  
 CAUSE NO. 1:20-CV-00052-SPW; UNITED STATES DISTRICT COURT, FOR THE DISTRICT OF MONTANA, BILLINGS DIVISION

*ARIANE ROWLAND, ET AL. V. WATCHTOWER BIBLE AND TRACT SOCIETY OF NEW YORK, INC., ET AL*  
 CAUSE NO. 1:20-CV-00059-SPW; UNITED STATES DISTRICT COURT, FOR THE DISTRICT OF MONTANA, BILLINGS DIVISION

**WATCHTOWER BIBLE AND TRACT SOCIETY OF NEW YORK INC'S SECOND SUPPLEMENTAL PRIVILEGE LOG**

PL No.	Date	Document Type	Author(s)	Recipient	Description	Format	Privilege Asserted
<b>Watchtower Legal Department Records</b>							
1.	07/22/1992	Notes	Legal Department	None	Attorney/Paralegal Notes of Call with Hardin, MT, Congregation. <b>Re: Legal Advice concerning Bruce Mapley, Sr.</b>	PDF	A/C
2.	07/22/1992 through 10/01/2019	Running series of Notes	Legal Department	None	Attorney/Paralegal Notes of Separate Calls with Congregations: Ashland, WI; Iron River, WI; Shawano, WI; Forsyth, MT; Hardin, MT; West Laurel, MT; Livingston, MT; Park Place, Oregon City, OR; Center Point, AL; Roebuck, Birmingham, AL. <b>Re: Legal Advice concerning Bruce Mapley, Sr., and Martin Svenson</b>	Lotus Notes PDF	A/C; TP
3.	07/22/1992 through 10/01/2019	Call Summaries	Legal Department	None	Attorney/Paralegal Notes of Separate Calls with Congregations: Iron River, WI; Shawano, WI; Forsyth, MT; Hardin, MT; Ashland, MT; West Laurel, MT; Livingston, MT; Park Place, Oregon City, OR; Center Point, AL; Roebuck, Birmingham, AL. <b>Re: Legal Advice concerning Bruce Mapley, Sr., and Martin Svenson</b>	HuB PDF	A/C; TP

PL No.	Date	Document Type	Author(s)	Recipient	Description	Format	Privilege Asserted
4.	04/08/2020	Call Summary	Legal Department	None	Attorney/Paralegal Notes of Call with Roebuck, Birmingham, AL, Congregation. <b>Re: Legal Advice concerning Bruce Mapley, Sr.</b>	HuB PDF	A/C
5.	03/26/1994	Notes	Legal Department	None	Attorney/Paralegal Notes of Call with Hardin, MT, Congregation. <b>Re: Legal Advice concerning Martin Svenson, Nellie Means, David Means, and Third Parties [P.M., A.A., and M.R.]</b>	PDF	A/C; TP
6.	03/26/1994 through 12/10/2018	Running series of Notes	Legal Department	None	Attorney/Paralegal Notes of Separate Calls with Congregations: Chamisa Taos, NM; Hardin, MT; Forsyth, MT; East Laurel, MT. <b>Re: Legal Advice concerning Martin Svenson, Nellie Means, David Means, Bruce Mapley, Sr., and Third Parties [P.M., A.A., and M.R.]</b>	Lotus Notes PDF	A/C; TP
7.	03/26/1994 through 12/10/2018	Call Summaries	Legal Department	None	Attorney/Paralegal Notes of Separate Calls with Congregations: Chamisa Taos, NM; Hardin, MT; Forsyth, MT; East Laurel, MT. <b>Re: Legal Advice concerning Martin Svenson, Nellie Means, David Means, Bruce Mapley, Sr., and Third Parties [P.M., A.A., and M.R.]</b>	HuB PDF	A/C; TP
8.	05/01/2020	Call Summary	Legal Department	None	Attorney/Paralegal Notes of Call with West Laurel, MT, Congregation. <b>Re: Legal Advice concerning Martin Svenson</b>	HuB PDF	A/C

PL No.	Date	Document Type	Author(s)	Recipient	Description	Format	Privilege Asserted
9.	05/07/2020	Call Summary	Legal Department	None	Attorney/Paralegal Notes of Call with West Laurel, MT, Congregation. <b>Re: Legal Advice concerning Martin Svenson</b>	HuB PDF	A/C
10.	10/17/2019 and 12/13/2019	Running series of Notes	Legal Department	None	Attorney/Paralegal Notes of Calls with Hardin, MT Congregation. <b>Re: Legal Advice concerning Gunnar Hain</b>	Lotus Notes PDF	A/C; TP
11.	10/17/2019 and 12/13/2019	Call Summaries	Legal Department	None	Attorney/Paralegal Notes of Calls with Hardin, MT Congregation. <b>Re: Legal Advice concerning Gunnar Hain</b>	HuB PDF	A/C; TP
12.	08/05/2014	Call Summary	Legal Department	None	Attorney/Paralegal Notes of Call with Hardin, MT, Congregation. <b>Re: Legal Advice concerning Third Party [A.A.]</b>	HuB PDF	A/C; TP
13.	07/29/2019	Call Summary	Legal Department	None	Attorney/Paralegal Notes of Call with Hardin, MT, Congregation. <b>Re: Legal Advice concerning Third Party [J.C.]</b>	HuB PDF	A/C; TP
14.	01/16/2006 through 10/09/2019	Call Summary	Legal Department	None	Attorney/Paralegal Notes of Call with Hardin, MT, Congregation. <b>Re: Legal Advice concerning Third Party [R.H.]</b>	HuB PDF	A/C; TP
15.	08/05/2014 through 09/16/2014	Call Summary	Legal Department	None	Attorney/Paralegal Notes of Call with Hardin, MT, Congregation. <b>Re: Legal Advice concerning Nellie Means</b>	HuB PDF	A/C; TP
16.	08/05/2014 through 09/16/2014	Call Summary	Legal Department	None	Attorney/Paralegal Notes of Call with Hardin, MT, Congregation. <b>Re: Legal Advice concerning Third Party [P.M.]</b>	HuB PDF	A/C; TP

PL No.	Date	Document Type	Author(s)	Recipient	Description	Format	Privilege Asserted
17.	09/07/2015	Call Summary	Legal Department	None	Attorney/Paralegal Notes of Call with Hardin, MT, Congregation. <b>Re: Legal Advice concerning Third Party [A.M.]</b>	HuB PDF	A/C; TP
18.	04/02/2021	Call Summary	Legal Department	None	Attorney/Paralegal Notes of Call with Hardin, MT, Congregation. <b>Re: Legal Advice concerning Third Party [R.M.]</b>	HuB PDF	A/C; TP
19.	12/05/2003	Call Summary	Legal Department	None	Attorney/Paralegal Notes of Call with Hardin, MT, Congregation. <b>Re: Legal Advice concerning Third Party [J.N.]</b>	HuB PDF	A/C; TP
20.	11/01/2014	Call Summary	Legal Department	None	Attorney/Paralegal Notes of Call with Hardin, MT, Congregation. <b>Re: Legal Advice concerning Third Party [K.R.]</b>	HuB PDF	A/C; TP
21.	05/24/2018 through 06/15/2018	Call Summary	Legal Department	None	Attorney/Paralegal Notes of Call with Hardin, MT, Congregation. <b>Re: Legal Advice concerning Third Party [M.R.]</b>	HuB PDF	A/C; TP
22.	08/05/2014	Call Summary	Legal Department	None	Attorney/Paralegal Notes of Call with Hardin, MT, Congregation. <b>Re: Legal Advice concerning Third Party James Rowland</b>	HuB PDF	A/C; TP
23.	04/23/2020	Call Summary	Legal Department	None	Attorney/Paralegal Notes of Call with Hardin, MT, Congregation. <b>Re: Legal Advice concerning Third Party [M.S.]</b>	HuB PDF	A/C; TP
24.	08/05/2014	Call Summary	Legal Department	None	Attorney/Paralegal Notes of Call with Hardin, MT, Congregation. <b>Re: Legal Advice concerning Mildred Svenson</b>	HuB PDF	A/C; TP

PL No.	Date	Document Type	Author(s)	Recipient	Description	Format	Privilege Asserted
25.	11/01/2014 through 09/07/2015	Call Summary	Legal Department	None	Attorney/Paralegal Notes of Call with Hardin, MT, Congregation. <b>Re: Legal Advice concerning Third Party [T.V.]</b>	HuB PDF	A/C; TP
26.	09/07/2015	Call Summary	Legal Department	None	Attorney/Paralegal Notes of Call with Hardin, MT, Congregation. <b>Re: Legal Advice concerning Third Party [C.W.]</b>	HuB PDF	A/C; TP
<b>Correspondence (March 14, 1997, BOE Letter Responses)</b>							
27.	04/19/1997	Letter	C.F. Congregation	Service Department	Confidential communication <b>Re: Seeking or receiving religious guidance, admonishment, or advice concerning Third Party [C.R.]</b>	PDF	CP; TP
28.	04/24/1997	Letter	H.P. Congregation	Service Department	Confidential communication <b>Re: seeking or receiving religious guidance, admonishment, or advice concerning Third Party [B.M.]</b>	PDF	CP; TP
29.	04/25/1997	Letter	Hardin Congregation	Service Department	Confidential communication <b>Re: Seeking or receiving religious guidance, admonishment, or advice concerning Third Party Gunnar Hain</b> [This specific communication has already been reviewed <i>in camera</i> by this Court and determined to be protected under Montana's clergy-penitent privilege under § 26-1-804 (see Court's order dated July 30, 2021, Doc #82 at pp. 3-4)]	PDF	CP; TP



PL No.	Date	Document Type	Author(s)	Recipient	Description	Format	Privilege Asserted
30.	05/14/1997	Letter	E. Congregation	Service Department	Confidential communication Re: Seeking or receiving religious guidance, admonishment, or advice concerning Third Party [M.C.]	PDF	CP, TP
31.	05/29/1997	Letter	L. Congregation	Service Department	Confidential communication Re: Seeking or receiving religious guidance, admonishment, or advice concerning Third Party [L.J.]	PDF	CP, TP
32.	08/06/1997	Letter	T.B. Congregation	Service Department	Confidential communication Re: Seeking or receiving religious guidance, admonishment, or advice concerning Third Party [G.J.]	PDF	CP, TP
33.	08/12/1997	Letter	B. Congregation	Service Department	Confidential communication Re: Seeking or receiving religious guidance, admonishment, or advice concerning Third Party [T.M.]	PDF	CP, TP
34.	02/02/1999	Letter	E. Congregation	Service Department	Confidential communication Re: Seeking or receiving religious guidance, admonishment, or advice concerning Third Party [N.O.]	PDF	CP, TP
35.	02/07/2000	Letter	Be. Congregation	Service Department	Confidential communication Re: Seeking or receiving religious guidance, admonishment, or advice concerning Third Party [K.M.]	PDF	CP, TP
36.	04/06/2000	Letter	B.H. Congregation	Service Department	Confidential communication Re: Seeking or receiving religious guidance, admonishment, or advice concerning Third Party [R.G.]	PDF	CP, TP
<b>Correspondence (Other)</b>							
37.	09/15/1997	Letter	Hardin Congregation	Pacific WA Congregation	Confidential communication Re: Providing religious guidance, admonishment, or advice concerning Gunnar Hain	PDF	CP, TP



PL No.	Date	Document Type	Author(s)	Recipient	Description	Format	Privilege Asserted
38.	09/14/1998	Letter	Hardin Congregation	Service Department	Confidential communication Re: Seeking or receiving religious guidance, admonishment, or advice concerning Martin Svenson	PDF	CP; TP
39.	09/27/1999	Letter	Service Department	Hardin Congregation	Confidential communication Re: Providing religious guidance, admonishment, or advice concerning Gunnar Hain	PDF	CP; TP
40.	10/14/1999	Form	Canyon Ferry Congregation, Helena, MT	Service Department	Confidential communication Re: Seeking or receiving religious guidance, admonishment, or advice concerning Bruce Mapley, Sr.	PDF	CP; TP
41.	05/05/2011	Letter	Hardin Congregation	Legal Department	Letter seeking legal advice Re: Threat of legal action in relation to Bruce Mapley, Sr., Gunnar Hain, and Martin Svenson	PDF	A/C
42.	06/15/2011	Memorandum	Legal Department	Service Department	Attorney providing legal advice. Re: Bruce Mapley, Sr., Gunnar Hain, and Martin Svenson	PDF	A/C
43.	12/26/2014	Memorandum	Service Department	Legal Department	Memo seeking legal advice. Re: Bruce Mapley, Sr.	PDF	A/C
44.	01/02/2015	Memorandum	Legal Department	Service Department	Attorney providing legal advice. Re: Bruce Mapley, Sr.	PDF	A/C
<b>Watchtower Legal Department Client Intake Forms</b>							
45.	09/07/2014	Client Intake Form	Hardin Congregation	Legal Department	Client seeking legal advice. Re: Seeking legal advice involving David Means and Nellie Means	PDF	A/C; TP
46.	09/07/2014	Client Intake Form	Hardin Congregation	Legal Department	Client seeking legal advice. Re: Seeking legal advice involving David Means and Third Party [P.M.]	PDF	A/C; TP
47.	10/18/2019	Client Intake Form	Hardin Congregation	Legal Department	Client seeking legal advice. Re: Seeking legal advice involving third party unrelated to this litigation [R.H.]	PDF	A/C; TP

PL No.	Date	Document Type	Author(s)	Recipient	Description	Format	Privilege Asserted
48.	10/18/2019	Client Intake Form	Hardin Congregation	Legal Department	Client seeking legal advice. <b>Re: Seeking legal advice involving third party unrelated to this litigation [R.H.]</b>	PDF	A/C; TP
49.	04/30/2020	Client Intake Form	Hardin Congregation	Legal Department	Client seeking legal advice. <b>Re: Legal issue involving third party unrelated to this litigation [M.S.]</b>	PDF	A/C; TP
<b>Amended Entries [09/26/2022]</b>							
50.	01/06/1996	Notes	Hardin Congregation	N/A	Internal note documenting legal advice received by the Hardin Congregation from Watchtower New York Legal Department. <b>[See Hardin Congregation Privilege Log]</b>	PDF	A/C; TP
51.	01/04/1997	Notes	Hardin Congregation	N/A	Internal notes by Hardin congregation elders documenting ecclesiastical communications made in confidence to the elders for the purpose of seeking or receiving religious guidance, admonishment, or advice. <b>[This specific document has already been reviewed <i>in camera</i> by this Court and certain portions were determined to be protected under Montana's clergy-penitent privilege under § 26-1-804 (see Court's order dated September 20, 2021, Doc #77 at pp. 3-4). This item has already been produced by the Hardin Congregation (see ROW_HARDIN000105-108) and is being reproduced in identical redacted form in accordance with this Court's decision. See document bates-numbered WTNY 000770-000773]</b>	PDF	CP; TP

PL No.	Date	Document Type	Author(s)	Recipient	Description	Format	Privilege Asserted
52.	02/19/1997	Notes	Hardin Congregation	N/A	Internal notes by Hardin Congregation elders documenting ecclesiastical communications made in confidence to the elders for the purpose of seeking or receiving religious guidance, admonishment, or advice. [see Hardin Congregation Privilege Log. This specific document has already been reviewed <i>in camera</i> by this Court and determined to be protected under Montana's clergy-penitent privilege under § 26-1-804 (see Court's order dated September 20, 2021, Doc #77 at p. 5)].	PDF	CP, TP

Key:

A/C = Attorney-Client Privilege

CP = Clergy-Penitent Privilege

TP = Third-Party Privacy

Date: September 26, 2022

Submitted by Brown Law Firm, P.C., on behalf of Defendant Watchtower Bible and Tract Society of New York, Inc.